

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RICHARD SNYDER

Plaintiff,

v.

GPM2 LLC, CHRISTY MANAGEMENT,  
LLC, BONNIE BENSON, P.A., THE  
FELTON BANK OF DELAWARE, JAMES P.  
CONNOR, JR., UNKNOWN TITLE  
INSURANCE COMPANY, and SERGOVIC  
& ELLIS P.A.,

Defendants.

Case No.: 1:07-cv-00066-GMS

**JOINDER OF DEFENDANT GPM2 LLC  
AND REPLY IN SUPPORT OF ITS  
MOTION TO DISMISS**

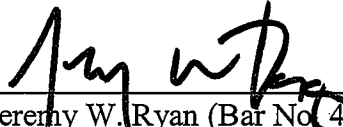
Defendant GPM2 LLC ("GPM"), by its undersigned counsel, hereby joins in the Response to Plaintiff Snyder's Objection to Letter(s) and Motion for Sanctions filed by Defendant Bonnie Benson, P.A., and further replies in support of its own motion to dismiss. In support hereof, Defendant GPM states:

1. For the reasons set forth in Defendant Benson's Response, Plaintiff has:
  - a. failed to adequately request oral argument regarding the pending motions;
  - b. failed to support its request for sanctions; and
  - c. failed to respond to any of the motions to dismiss in general, and specifically has failed to oppose the motion to dismiss on the grounds that (i) this Court lacks subject matter jurisdiction over this dispute because there is no federal question at

issue in this action and there is no diversity of parties; and (ii) the Complaint fails to state a claim as the contract at issue in this action required that the sale of the subject property was to occur by December 5, 2005 and that time was of the essence. Mr. Snyder failed to timely perform his obligations under the Contract. Thus, Mr. Snyder cannot state a claim for breach of a Contract that he, himself, has terminated.

WHEREFORE, for the reasons stated in its brief in support of its motion to dismiss as well as the reasons set forth in Benson's Response to Plaintiff Snyder's Objection to Letter(s), Defendant GPM2 LLC respectfully requests that this Honorable Court dismiss the Complaint and grant such other and further relief as is necessary, just and proper.

Dated: June 15, 2007

  
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Jeremy W. Ryan (Bar No. 4057)  
Michael R. Robinson (Bar No. 4452)  
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*Counsel for Defendant GPM2 LLC*

**CERTIFICATE OF SERVICE**

I, Jeremy W. Ryan, hereby certify that on this 15th day of June, 2007, I caused to be electronically filed a true and correct copy of the foregoing *Joinder and Reply in Support of its Motion to Dismiss* with the Clerk of Court using CM/ECF which will send notification of such filing. A copy of the document was served on the following persons in the manner indicated:

**VIA U.S. MAIL**

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**VIA U.S. MAIL**

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**VIA E-MAIL**

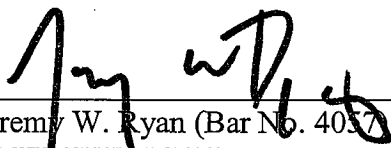
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